

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

3/15/2023

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTONUnited States of America
v.

Adrian M. Jackson

Case No. 3:22-mj-86

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/28/2022 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:*Code Section*
18 USC s. 922(o)*Offense Description*
possession of a machinegun

This criminal complaint is based on these facts:

See Attached Affidavit of G. Tyler Orndorff

☒ Continued on the attached sheet.*G. Tyler Orndorff*
Complainant's signatureG. Tyler Orndorff, TFO of the FBI
Printed name and title

Sworn to by reliable electronic means -- namely, telephone.

Date: March 15, 2023City and state: Dayton, Ohio*Caroline H. Gentry*
Caroline H. Gentry
United States Magistrate Judge

AFFIDAVIT

I, G. Tyler Orndorff, a Task Force Officer (“TFO”) with both the Federal Bureau of Investigation (“FBI”) and City of Dayton Police Department (“DPD”), hereby make the following sworn statement under penalty of perjury

INTRODUCTION

1. I have been employed as a sworn law enforcement officer with the DPD for the past ten (10) years. I currently serve as a Detective with the DPD. I am also presently assigned as a TFO with the FBI Dayton Resident Office’s Safe Streets Task Force (SSTF). As such, I am sworn under the Title 21, United States Code (“U.S.C.”), Section 878, to serve as an officer of the United States duly authorized to conduct federal criminal investigations and execute federal arrests for violations of offenses set forth under Titles 18 and 21 of the U.S.C.

2. I am also a TFO with the DPD’s Major Case/Drug Enforcement Unit. Since 2019, I have almost exclusively concentrated on the investigations of: narcotics, firearms, and gang-related criminal investigations. During my law enforcement career, I have attended numerous law enforcement training courses and seminars concerning the investigation of drug trafficking organizations. I have participated in many firearm-related arrests and executions of search warrants that have resulted in the seizure of large quantities of narcotics and firearms. I have additionally participated in many undercover -purchases of narcotics, and supervised the activities of police informants. I have also personally participated in investigating individuals suspected of possessing, manufacturing, distributing, and importing large quantities of various controlled substances. Based on my extensive law enforcement training and experience – I am familiar with the various manners and means drug traffickers and their criminal organizations typically employ within the United States. I also know that it is unlawful for a person to possess a machinegun

under 18 U.S.C. § 922(o).

PURPOSE OF AFFIDAVIT

3. This Affidavit is submitted in support of a criminal complaint and seeks the issuance of an arrest warrant against Adrian M. Jackson (hereinafter “**JACKSON**”) for a violation of 18 U.S.C. § 922(o) (Possession of a Machinegun)

4. Along with other law enforcement officers, I have participated in the investigation of **JACKSON** in connection with the conduct detailed in this Affidavit. As part of the investigation, I have, among other things, discussed information with, and/or reviewed documentation and reports provided by, other law enforcement officers. My knowledge of the facts and circumstances set forth in this Affidavit is thus based upon my own personal observations, as well as information I have received from other law enforcement officers involved in the investigation. For purposes of this Affidavit, I have not distinguished between information of which I have direct knowledge and that of which I have indirect knowledge

5. I have elected not to include in this Affidavit all the factual details gathered to date during the investigation, but rather I have included only certain information sufficient to establish probable cause to believe that **JACKSON** has committed a violation of Title 18 U.S.C. § 922(o) (Possession of a Machinegun).

6. Unless otherwise noted, when I assert that a statement was made, I received the information from a law enforcement officer who provided the information to me, either verbally or in a written report. The officer providing me with the information may have received the information by way of personal knowledge or from another source.

SUMMARY OF PROBABLE CAUSE

7. On Thursday, July 28, 2022, members of the FBI Southern Ohio Safe Streets Task Force worked the Project Safe Neighborhood (PSN) initiative. The objective of the PSN initiative was to conduct proactive surveillance in known high crime areas within Montgomery County, Ohio, to combat criminal violations related to drug trafficking, firearms possession, and crimes of violence.

8. At approximately 10:00 p.m., task force members conducted surveillance in the parking lot of the Salem Beverage & Market, located at 3440 Salem Avenue. The Salem Beverage & Market is a known location where the above-described criminal violations frequently occur. While surveilling the parking lot, Special Agent (SA) Robert Buzzard observed a white Toyota Rav4 arrive and park in the parking lot. A male, later identified as **JACKSON**, exited the front passenger seat of the Rav4 and placed a black semi-automatic handgun with an extended magazine in his waistband. **JACKSON** then entered the business. Minutes later, **JACKSON** exited the business, re-entered the Rav4, and departed the parking lot in the vehicle. The driver of the Rav4 failed to turn the vehicle's headlights on when traveling south on Salem Avenue. Deputy Jason Flora, driving a Montgomery County Sheriff's Office (MCSO) marked cruiser, conducted a traffic stop on the Rav4 for the equipment violation.

9. Task force members assisted Deputy Flora with the traffic stop investigation. The driver, **JACKSON**, and rear seat passenger were identified and asked to exit the Rav4 so Deputy Flora could conduct a free-air sniff on the vehicle. Investigators observed a black Glock semi-automatic handgun and an extended magazine in plain view on the rear passenger floorboard behind the front passenger seat where **JACKSON** was seated. Deputy Flora and his state of Ohio certified K-9 (Cezar) conducted a free-air sniff on the Rav4, resulting in a positive alert.

10. Investigators conducted a probable cause search of the Rav4. The black Glock model 26 semi-automatic 9mm handgun and extended high-capacity (30 round) magazine were recovered from the rear passenger floorboard. A single 9mm bullet was located on the rear passenger floorboard. The Glock model 26 handgun was not loaded, and the extended magazine was lying next to the Glock model 26 handgun. The extended magazine was loaded with sixteen 9mm bullets. Investigators located an additional tan in color Glock model 19x semi-automatic 9mm handgun underneath the front passenger seat where **JACKSON** was seated. The Glock model 19x handgun was loaded with one 9mm bullet in the chamber and fifteen 9mm bullets in the magazine that was loaded in the magazine well. Investigators also located approximately 57 grams of marijuana that was inside a backpack located on the front passenger floorboard where **JACKSON** was seated.

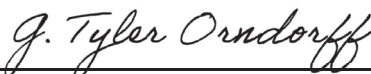
11. SA Buzzard looked at the two Glock handguns recovered from inside the Rav4. SA Buzzard confirmed the Glock model 26 handgun and extended magazine was the handgun he observed **JACKSON** in possession of at the Salem Beverage & Market. The Glock model 26 handgun that **JACKSON** was in possession of was equipped with an aftermarket auto sear (also known as a “switch”), making the handgun capable of firing fully automatic or as a machinegun.

12. SA Buzzard and another officer conducted a post-Miranda interview with **JACKSON** while he was detained in the back seat of a cruiser. In summary, **JACKSON** initially denied possessing the black Glock model 26 handgun equipped with the auto sear. **JACKSON** claimed ownership of the tan Glock model 19x handgun and claimed he took that handgun into the Salem Beverage & Market. When advised that SA Buzzard observed **JACKSON** in possession of the Glock model 26 handgun with the extended magazine, **JACKSON** admitted he was hesitant to be truthful about possessing the Glock handgun with the extended magazine

because it was equipped with a “switch.” **JACKSON** said the “switch” could be bought for \$100.00 off the streets in the Dayton area. Given **JACKSON**’s initial reluctance to claim the weapon and his admission concerning the price of the “switch”, I conclude that he knew that the Glock firearm fired as fully automatic. **JACKSON** claimed ownership of the marijuana located in the backpack, and said he smokes marijuana.

13. Upon completion of the traffic stop investigation, **JACKSON** and the other occupants were released. The two Glock handguns and marijuana were seized and placed in the MCSO property room. The Glock handguns and marijuana were submitted to the Miami Valley Regional Crime Laboratory (MVRCL) for operability testing and drug analysis. Law enforcement later received a lab report from the MVRCL indicating the Glock model 26 handgun, equipped with the aftermarket auto sear, was examined, test fired, and found to be operable. Additionally, the Glock model 26 handgun did function in full auto mode of firing during laboratory testing – namely, that it was a machinegun. Furthermore, the marijuana tested positive for marijuana and had a gross weight of 57.34 grams.

14. Based on the foregoing, there is probable cause to believe that **JACKSON** committed a violation of 18 U.S.C. § 922(o) (Possession of a Machinegun).



G. Tyler Orndorff
Federal Bureau of Investigation
Southern Ohio Safe Streets Task Force

Subscribed and sworn to ~~before me~~ this 15th day of March 2023.
By reliable electronic means (telephone)



Caroline H. Gentry
United States Magistrate Judge

